

Message Text

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TO AMEMBASSY NAIROBI

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E.O. 11652: N/A

TAGS: KE, CGEN

SUBJECT: ASSISTANCE TO AMERICAN WOMAN IN KENYA

1. REQUEST POST'S RESPONSE TO FOLLOWING QUESTIONS WHICH CONCERN A WOMAN WHO HAS LIVED IN KENYA FOR PAST EIGHT YEARS AND WHO IS INTERESTED IN RETURNING TO U.S. THE WOMAN IS MARRIED, BUT WILL BE SEEKING A DIVORCE. HER HUSBAND WAS A BRITISH SUBJECT UHO HAS SINCE BECOME KENYAN CITIZEN. THERE ARE TWO CHILDREN UHO CURRENTLY HAVE DUAL U.S. AND KENYAN CITIZENSHIP AND UHO LIVE WITH MOTHER WITH CONSENT OF FATHER. QUESTIONS ARE AS FOLLOWS: (1) ARE THERE ANY LEGAL RESTRICTIONS THAT COULD PREVENT WOMAN AND HER CHILDREN FROM DEPARTING KENYA IMMEDIATELY? (2) UNDER WHAT CIRCUMSTANCES WOULD KENYA REFUSE TO RECOGNIZE A U.S. DIVORCE AND CHILD CUSTODY DECREE OBTAINED BY THE WOMAN IN A STATE (E.G., NEW YORK) IN WHICH THE WOMAN WAS DOMICILED? (3) THE WOMAN HAS INVESTED MONEY IN KENYA WITH OTHER PERSONS INCLUDING HER HUSBAND. IF THE WOMAN DECIDED TO LEAVE THE MONEY IN KENYA, COULD SHE CONTINUE TO BE AN INVESTOR AND RECEIVE PROFITS WHILE IN U.S.? COULD SHE RECOVER HER
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INVESTMENT WHILE IN U.S.? (4) IF AFTER OBTAINING DIVORCE IN U.S. THE WOMAN AND HER CHILDREN WISHED TO RETURN TO KENYA TO VISIT, WOULD THERE BE ANY RISKS IN RETURNING? FOR EXAMPLE, COULD THE HUSBAND OBTAIN CUSTODY OF THE

CHILDREN? COULD THE WOMAN BE SUED FOR ACTS COMMITTED BY HER CO-INVESTORS?

2. WOMAN'S FAMILY IN U.S. IS ANXIOUS TO HELP WITH HER
DEPARTURE. WOULD APPRECIATE ANY INFORMATION POSSIBLE. CHRISTOPHER

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